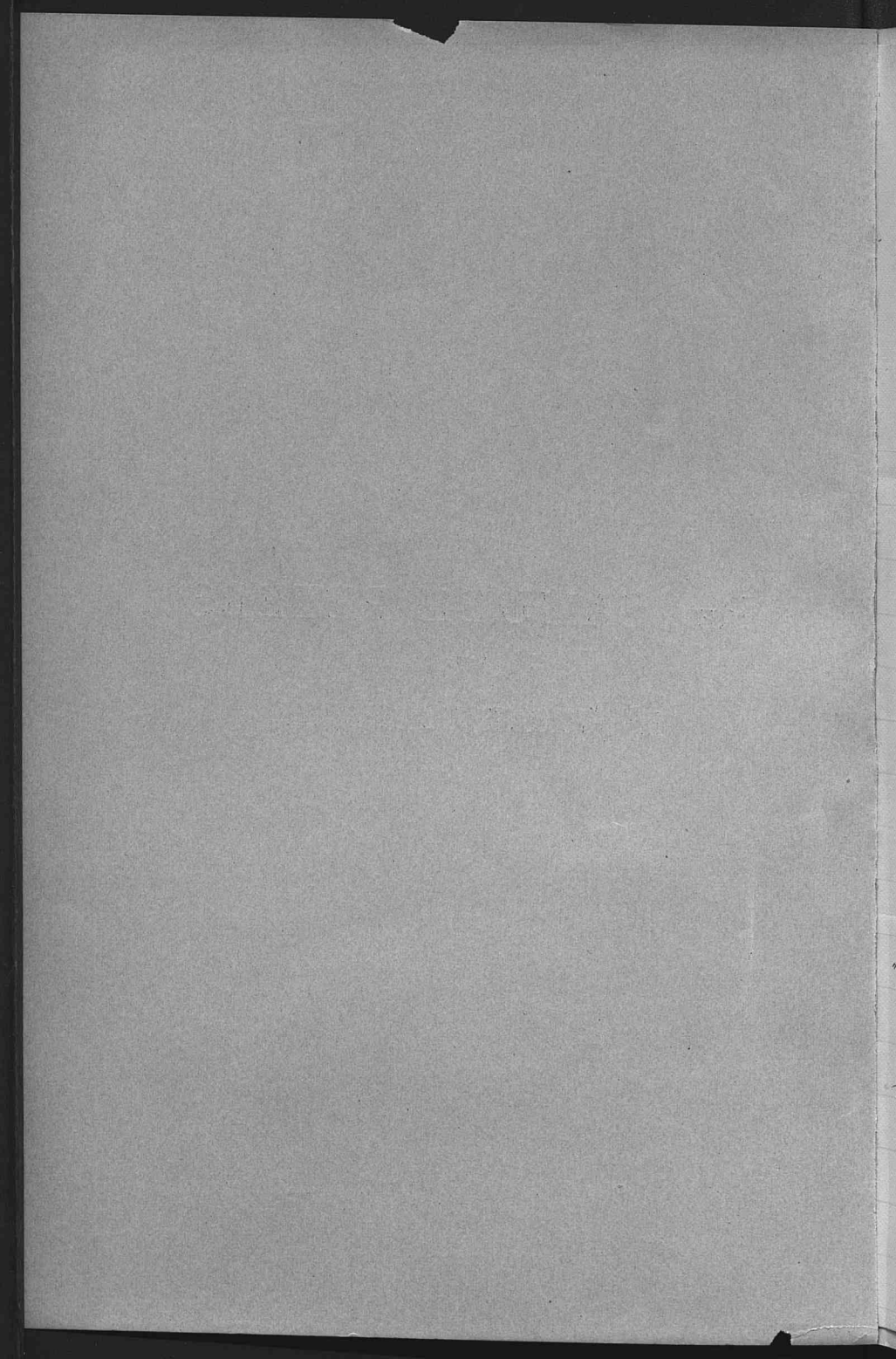


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A. S. Manson &
Per J. H. Grumbly

REV. SAMUEL PETERS
AND
HIS APOLOGISTS AND DEFENDERS



Hartford, Sept. 1, 1880

Dear Sir.

I send by this mail a copy of
the pamphlet you name.

Yours truly,
J. H. Trumbull

A. S. Mammery
Boston.

P.S. I am intending to print, before
long, a short bibliographical note on
"M'Fingal" — of which I have, I believe,
every edition. I will try ~~to~~ remember
to send you a copy.

The Society
12/25/99
THE REV. SAMUEL PETERS

HIS DEFENDERS AND APOLOGISTS

WITH

A REPLY TO *THE CHURCHMAN'S* REVIEW

OF "THE TRUE-BLUE LAWS OF CONNECTICUT" &c.

By J. HAMMOND TRUMBULL

[REPRINTED FROM THE HARTFORD DAILY COURANT.]

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The True-blue Laws of Connecticut and New Haven, and the False Blue-Laws invented by the Rev. Samuel Peters. Edited by J. H. Trumbull. Hartford, American Publishing Company, 1876.

The Rev. Samuel Peters' LL.D, General History of Connecticut. To which are added, additions to Appendix, Notes, and Extracts from Letters, verifying many important statements made by the author. By Samuel Jarvis McCormick. New York, D. Appleton & Company, 1877.

The Churchman, (March 24th, 1877,) "Virginia and Civil Liberty," by the Rev. Thomas W. Coit, D.D.; (May 26th and June 2d,) "Dr. Samuel Peters," by Samuel Jarvis McCormick, Great-grandson of Dr. Samuel Peters; (Aug. 11th and Sept. 1st,) Review of "The True-blue Laws of Connecticut," &c.

THE REV. SAMUEL PETERS
AND HIS DEFENDERS AND APOLOGISTS.

I.

Mr. Samuel Jarvis McCormick, a great-grandson of the Rev. Samuel Peters, *soi disant* L. L. D., has seen fit to republish his ancestor's "General History of Connecticut," enriched by "addition to Appendix, notes and extracts from letters verifying"—to the editor's belief—"many important statements made by the author." On good paper and in modern type, the new edition is easier reading than the original issue of 1781 or the New Haven reprint of 1829, and, were it not for unwarrantable liberties which Mr. McCormick has taken with the text, the volume might be cordially commended to all who care to ascertain, for themselves, the measure of Peters's veracity.

In the Introduction to my edition of "The True-blue Laws of Connecticut and New Haven and the False Blue-Laws invented by the Rev. Samuel Peters," published last year, I have expressed my opinion of the "General History" and its author, and have suggested what seems to me the best excuse that can be made for him, "that he was a victim of *pseudomania*; that his abhorrence of truth was in fact a disease, and that he was not morally responsible

for its outbreaks." I pointed out some of the more remarkable instances in which, without conceivable motive, he sets probability as well as truth at defiance, and I showed that his lies, like Falstaff's, were "gross as a mountain, open, palpable," so open and palpable that some of his apologists insist that he never expected to be believed, and "laughed heartily at the credence his stories had attained." I did not intend to resume the subject, and have till now refrained from making any reply to the criticism and comment with which my book has been honored in *The Churchman*, by the Rev. T. W. Coit, Mr. McCormick, and the editorial reviewer, successively. Had Mr. McCormick contented himself with an honest republication of his great-grandfather's book, supplemented by whatever "documents and manuscripts written before the Revolutionary War" are now in his possession, and the addition of notes, clearly distinguished from those of the author, I should not have felt myself called upon to appear again as public prosecutor. But, in his surprise that any one could "attempt to throw discredit on the work of Dr. Peters, and represent it as a fiction, and a calumny upon the early settlers of Connecticut," he has imagined that I must have had some "selfish object," which he assumes to be that of defending my "ancestor," Jonathan Trumbull, the Revolutionary Governor of Connecticut, who "was instrumental in driving Dr. Peters from the country," and "who is so frequently spoken of in this work." In his first communication to *The Churchman*, he charges me with having "flatly denied assertions made by Dr. Peters, and twisted metaphorical phrases of the doctor's to meet my own ends," and seems honestly to believe that my unjust and unwarrantable attacks were instigated by the desire of "wiping out the cruelty of my ancestors towards an unoffending clergyman of the Church of England."

I cannot decently avoid replying to charges so explicitly made, and, in replying to these, I will not be so discourteous to my reviewers in *The Churchman* as not to notice their elab-

orate attempts to bolster up the character of Peters, and to impart some plausibility to his story of the "Blue Laws" or, at least, to weaken the force of my exposure of its falsity, by abuse of "Puritanism," generally, I may also take occasion—if *THE COURANT* will grant me the space,—to examine Mr. McCormick's "addition to appendix, notes, and extracts from letters," and to test his honesty, accuracy, and intelligence as an editor.

The imputation of a personal or "selfish" motive for questioning the veracity of that "good and venerable old clergyman," Dr. Sam. Peters, can be easily disposed of. It has, perhaps, been sufficiently disposed of already, its groundlessness having been shown, in a dozen different notices of Mr. McCormick's book. I am *not* "a descendent of Governor Trumbull," and whatever portion I have of "the fanaticism, bigotry, and spleen, so justly attributed" to him does not, as Mr. McC. believed, come to me by inheritance. My only Connecticut ancestor (of the surname), at the time of Mr. Peter's flight from the colony, was a member of the Church of England, as his father and grandfather had been before him. He belonged to Christ's Church parish in Norwich, whose good rector, the Rev. John Tyler, was as staunch a loyalist and as zealous a churchman as Mr. Peters himself, and made as little concealment of his political as of his religious convictions. He suspended public worship in his church for three years, rather than omit the prayers for the king and parliament; yet he retained his connection with his parish, unmolested by mobs or Sons of Liberty—because he minded his own business and habitually *spoke the truth*.

Mr. McCormick's intimation that my "attempt to throw discredit on the work of Dr. Peters" is a *novel* one, is simply ludicrous. Does he really suppose that the famous "General History of Connecticut" was *ever* "well received by the intelligent portion of the community, and indorsed as a *true history*?" It was known by a very different name, before it was fairly out of the press. In the earliest

American review of the book to which I can now refer (in the *Analectic Magazine* of 1814) the writer observes, that "in the province whose settlement it professes to record, it was called the *Lying H'story* to distinguish it from all others," and that it received this name very soon after its publication. The verdict of public opinion has been so nearly unanimous, so emphatically and repeatedly expressed, that it is almost an insult to readers of ordinary intelligence to present evidence that the fabrications of Peters have *not* been "indorsed as true history," in Connecticut or elsewhere—except as to the "Blue Laws," or for the purpose of bearing false witness against Puritanism, by proxy. If there be any one who still requires such evidence, he must be of so unimpressionable nature that he will not depart from his convictions "though thou shouldest bray him in a mortar among wheat with a pestle." On such, all proofs would be wasted.

II.

Whatever value may lie hid in Mr. McCormick's version of Peters' History must be looked for in the "additions to Appendix, notes and extracts from letters," for, regarded simply as a *reprint*, the book is absolutely worthless. Its deviations from Peters's text are, in many cases, so remarkable, that they can only be accounted for on the supposition that the printers and proof readers followed a *manuscript copy*—and a very inaccurate copy—of the original work. Every now and then a word is omitted and, as often, a superfluous word inserted. Names of persons and places are spelled on one page as Peters wrote them, and on the next, perhaps, appear in a modern shape or in the peculiar cacography of the copyist. Thus, we have "Hartford" on pages 16, 19, 21, etc., but afterwards "Hertford," as in the first edition. Mr. McCormick's changes are, usually, for the worse. Of Peters's "Connecticutensians" (designating the people of the colony, collectively,) his editor makes, in each place where it occurs (pp. 4, 198), "Connecti-

tensians." He leaves the name of John Hancock, on page 170, but amends the surname to "Handcock" on pages 251 and 352. George Chalmers (the Political Annalist), appears as "Chambers" (p. 5) and *Jonathan* becomes *John* Belcher (p. 137). "Wilmington" is put for "Wilmington" (p. 132), "Glastenbury" for "Glastonbury" (p. 139), and the Episcopalians are reputed to be *Armenians* instead of *Arminians* (p. 166).

There are few pages on which some unwarrantable liberty has not been taken with the author's text, yet Mr. McCormick has been careful to correct none of its blunders. Even that absurd one by which the old word "riveret" becomes a "River Ett," is conscientiously preserved (pp. 139, 142, 147, etc.). Many of the alterations are of small account, except as evidence of the editor's incompetency, but here and there we find omissions and insertions which are positively dishonest. Take a single instance. From his general malediction of Connecticut and her institutions Peters excepts the "innocent, virtuous, and prudent" custom of "bundling"—to the defense and eulogy of which he devotes nearly nine pages (325-334, of the first edition). To the advantages of this mode of courtship he bears this emphatic testimony: "*I had daughters, and speak from near forty years' experience*" (p. 327). In the reprint, *this testimony* and three lines which follow it, are *omitted*. Can such an omission have been *accidental*? And if not, how can Mr. Peters's great-grandson be excused for mutilating the text he has undertaken to "give to the public as it left the author's hands"?

The mention of Peters's "forty years' experience" reminds me of the epithet "venerable," which his eulogists are fond of bestowing on him. Mr. McCormick, in his preface, speaks of him as a "good and *venerable old* clergyman who was driven from his country," etc. (p. 10); we are informed (by himself) that he was presented to the captain of the ship which carried him to England, as "this worthy and *venerable* clergyman" (p. 272); "thus suffered"—note.

Mr. McCormick—"the *venerable* and exemplary Dr. Samuel Peters" (p. 273); and "the illustrious examples of the *venerable* Beach and Peters" are held up to our admiration (p. 275). Mr. Peters was born in November, 1735. At his exodus from Connecticut he was not quite *thirty-nine* years of age, and, so far as we know, his eye was not dim nor his power of mischief abated. It is only by a violent figure of speech that he could—in virtue of his sacred office—be called "*venerable*," and it is certainly too severe a strain on our sympathies to ask us to "*pity the sorrows of a poor old man*" in his thirty-ninth year.

It is no part of my purpose, in these articles, to demonstrate the general untruthfulness of Peters's history. On that subject there has been not much difference of opinion among intelligent readers: and now Mr. McCormick, by putting the book within reach of the public, has rendered further discussion of its character unnecessary. Few will rise from its perusal without having come to Professor Kingsley's conclusion, that, "to prove a truth upon the leading portion of Peters's history would be, it is believed, an impossible task." The only part of the volume that I shall notice is the appendix—and particularly, Mr. McCormick's "additions to appendix."

In the original edition of 1781, Peters, after having brought his pseudo-history down to "the latest period of amity with Great Britain," gave, by way of appendix, "a summary account of the proceedings of Connecticut immediately leading to their open commencement of hostilities against the mother-country." This appendix fills fifty-eight pages, more than one-eighth of his work. It contains, among other matters, an account—greatly exaggerated—of his treatment by the "mob of patriots" in 1774. Instead of *reprinting* this appendix, Mr. McCormick has thought proper to *rewrite* it, with additions of his own; to omit almost one-quarter of it; and to incorporate, "from a manuscript written by the doctor himself, and using his own language," a "sketch of the treatment he received at the commencement of the war-

and the cause that drove him from his native country." The old matter and the new are so dove-tailed together, that it is impossible to distinguish them, without recourse to the original edition. The reader is left to guess whether it is Peters or McCormick who is induced to write the appendix by "the contradictions that have so frequently appeared regarding the statements made by the author of the history," and whether it is McCormick or Peters who criticises the statements of "a descendant of Governor Trumbull," in a book entitled "The True-blue Laws," etc., which appears to have been "lately published," when P. & McC. were writing their joint appendix.

The "slight sketch of the treatment Dr. Peters received" in 1774, occupies pp 261-274. Mr. McC. was fortunate in discovering, among "a large mass of papers" belonging to his "revered ancestor," one which is in every respect worthy to be incorporated with his "History of Connecticut." It is not too much to say, that in this "slight sketch" the Doctor has, with the help of his editor, surpassed himself. It would not be easy to find in any other part of his great work more falsehood, diluted with so little truth, in the same number of pages.

What actually *did* take place at Hebron, between Peters and the Sons of Liberty August 15th and September 6th, 1774, is established at the mouth of more than two or three witnesses. In October, Thaddeus Burr, Esq., wrote to Governor Trumbull from Boston, that Peters had come to that place with the design of going to England to make complaint of his treatment in Connecticut; that he was countenanced by Governor Gage and his Mandamus Councillors and by the body of the Church clergy; and, with their assistance, was "*setting the treatment he had met with in its most glaring colors, so exaggerated as to exceed all bounds of truth,*" for the purpose of convincing the Ministry that Connecticut was "determined to persecute and drive out all the Church of England clergymen." (This letter is printed in Force's *Amer. Archives*, 4th S.

I. 714.) Governor Trumbull communicated this information to the General Assembly, who requested him to prepare "a general statement of the transactions relative to the Rev. Samuel Peters," for transmission to the colony's agent in England, "to obviate any misrepresentations that the said Peters may make to the prejudice of the colony." The Governor's statement, dated December 26, 1774, is before me, in his handwriting. (It is printed in Stuart's *Life of Trumbull*, pp. 158-160.) It was supported (1) by the testimony of four well-known citizens of Bolton, members of the town committee of correspondence and of the committee that visited Peters on the 15th of August, and (2) by the affidavits, duly sworn, of Hezekiah Huntington, John Ripley, Vine Elderkin, and Ebenezer Gray, of Windham, members of the committee appointed to confer with Peters, Sept. 6th, and witnesses of all that occurred at Hebron on that occasion. This testimony may be found in the *Am. Archives*, 4th S., I 716-718. But this is not all. We have a statement published by the Bolton committee, in the *New London Gazette* of August 18th, and, in the same journal, Sept. 18th, the formal *declaration of Samuel Peters himself*, which he subscribed at Hebron, Sept. 6th, and read aloud to the people assembled on the Meeting-House Green,—“freely acknowledging that he had justly offended the people of this colony,” “renouncing and revoking” the resolves which he had drawn up and published “representing them as being the Resolutions of the town of Hebron,” and solemnly “declaring and affirming, upon the word and credit of an honest man,” that [he does] adopt and will maintain and support the present resolutions of our General Assembly, and of the principal towns, etc., so far as [he is] acquainted with them;” confessing that he had “undertaken to vilify a certain number of gentlemen that waited on him at his house in Hebron,” and acknowledging that they “behaved with firmness, resolution, and humanity;” asking “the forgiveness of all whom he had offended, prom-

ising for the future, as far as in him lies, to circumspect his conduct," and finally "avowing and declaring" the foregoing to be "his sentiments, without any equivocation, or mental reservation."

The leading facts established by this testimony may be briefly stated. The town committee of Bolton were informed by Capt. John Peters, a brother of the Rev. Samuel, that the latter had several times written letters to England, and then had others prepared to be sent by way of New York, which were "big with reflections on this Colony." By advice of the principal citizens, the committee, accompanied by nearly three hundred persons from neighboring towns, *without arms of any kind*, waited on Mr. Peters, at his house, on the 15th of August, "civilly to inquire into the matters contained in said reports." A special committee was, at his request, appointed to confer with him. He asked them into his house; "seemed to be frank and free" in giving information; "solemnly declared, upon the faith of a Priest, that *he never had nor never would write home to any person during his natural life*, touching said controversy" between Great Britain and the colonies; subscribed a declaration to that effect (which was published in the *Gazette*, Sept. 2); and, his engagement being regarded as satisfactory, the committee left him, "without injuring his person or interest, *with his thanks for their kind treatment*." As he himself confesses, in his subsequent declaration, his visitors "behaved with firmness, resolution, and *humanity*."

Among the papers of which he admitted the authorship was a set of resolves purporting to have been adopted by "the inhabitants of Hebron," refusing to make contributions for the relief of Boston. These resolves were, in fact, "made by himself and two or three churchmen," and not at a town meeting. Their publication in the *Gazette* (Sept. 2) roused the indignation of the patriots, and as Peters "continued his endeavors to instil and propagate sentiments subversive of the constitutional

civil rights of the colony," he received a second visit. About three hundred persons, from Windham and the neighboring towns, *without arms* (as four unimpeachable witnesses testify, under oath), met near his house, Sept. 15th and selected a committee to converse with him. They found his house "full of people." Peters at first undertook to justify his course. The committee refused "to dispute principles with him," but advised him to go out to the people, and perhaps he might convince them he was right. They assured him that he might go and return safely and without abuse. It had been rumored that there were arms collected in the house. Peters denied this, and said he had none except "one or two old guns out of repair." He went out, and began to harangue the people. Presently, a gun was discharged *from or in* the house. The people, exasperated, sent eight or ten men to know the occasion of the firing and to see if there were other fire-arms. They found that the gun, which had been loaded with two balls, was discharged accidentally, but they also found evidence of Peters's falsehood, in "several guns and pistols loaded with powder and ball, some swords, and about two dozen large wooden clubs, concealed and hid in the house." The people began to lose patience, but kept their promise, and returned Peters safely to his house. They then *directed the committee* to draw up a paper for his signature and acknowledgement. This was done, and the instrument was submitted to him. He refused to sign it, though the committee strongly urged him to do so. At length, the people, "impatient, weary, and hungry, would not be put off or delayed longer." They made a dash at the house; entered it by a window from which, in their haste, they broke some squares of glass; seized Peters and brought him out of doors, placed him on a horse, and conveyed him to the Meeting-House Green, about three-quarters of a mile distant, where, "after some talking upon the premises, Peters agreed to and did sign the paper, and read it to the people himself." They, with one voice, accept-

ed it, gave three cheers, and dispersed. His gown and shirt were somewhat torn, and "it was said by some that a table was turned over, and a *punch-bowl and glass broken*," in his house, which, say the committee, under oath, "*was all the damage that was done that we ever heard of.*" The committee, throughout, endeavored to pacify the people, who were greatly exasperated at Peters's conduct, particularly by the preparation of arms and his denial of the fact, and by the discharge of the gun.

And now, let us see what Peters made of these facts, and how the story of the injury done his person, family and estate, grew by repetition. Peters wrote from Boston, Oct. 14, 1774, to the Rev. Dr. Auchmuty, of New York. The letter was intercepted, and made public, in *THE COURANT* and the *New London Gazette*. In it he asserts that

"The Sons of Liberty have almost killed one of my church, tarred and feathered two, abused others; and on the sixth day *destroyed my windows*, and *rent my clothes, even my gown, &c.*, crying out, Down with the Church, the rags of Popery, &c."

This exactly agrees—the last clause excepted—with the statement of the committee. Not a word, here, of injury to his person or to any member of his family. A few weeks later, an account of the affair, inspired if not written by Peters, appeared in *Rivington's Gazette*, in New York. The editor was

—"credibly informed that the Rev. Mr. Peters . . . has been attacked and stript of all his papers, *his child of thirteen years old stabbed in the thigh*, his house ransacked, and himself, after meeting with most scandalous insults and abuse, obliged to fly to Boston," etc.

When he was safe in England, his story received new embellishment. In the original edition of his history, published in 1781, he states (p. 417) that

"Mr. Peters, with his gown and cloaths torn off, was treated in the most insulting manner; *his mother, daughter, two brothers, and servants, were wounded; one of his brothers so badly that he died soon after.*"

Higher than this inventive genius could not soar. Indeed, Peters himself seems to have

become conscious that the rent in his gown was scarcely large enough to admit a wounded "mother, daughter, two brothers, and servants." In his finished "sketch" he allows the daughter and one servant to escape uninjured, but he makes the most of his one broken window, and of his personal sufferings:—

"The mob then *fired balls* into the house, and with *stones, bricks and clubs*, broke *the doors, windows and furniture*, wounding his mother the nurse of his infant son, and his two brothers, and seizing him, *tore off* his hat, wig, gown and cassock, *stripping off* his shirt, made him naked, (except his breeches, stockings and shoes,) *struck him with their staves* and *spat in his face*, and then placed him upon a horse and carried him more than a mile to their liberty pole," etc. (p. 265).

To point out even a tithe of the falsehoods in Peters's "slight sketch" would extend this article far beyond reasonable limit. Any reader who cares to search for the modicum of *truth* Peters has retained, will be aided by the authorities I have cited. Mr. Duyckinck (in the *Cyclopædia of American Literature*) said of Peters's History, that "a sober critic would go mad over an attempt to correct its misstatements"—and the saying is as true of the new Appendix as of the History.

III.

Hume, on the authority of Strype (the ecclesiastical annalist) relates that Philpot, archdeacon of Winchester, in the reign of Mary, was "inflamed with such zeal for orthodoxy, that, having been engaged in dispute with an Arian, he spit in his adversary's face, *to show the great detestation which he entertained against that heresy;*" and he afterwards wrote a treatise—it was called *An Apology for Spitting on an Arian*—to justify his ejaculatory rebuke, showing, "that he was led to it *in order to relieve the sorrow* conceived from such horrid blasphemy, and to signify how unworthy such a miscreant was of being admitted into the society of any Christian."

What Arianism was to this amiable prelatist, New England "Puritanism" has been—and continues to be—to some few good men of our time. Its very name is enough to provoke them to expectorations of zeal and abhorrence. When they talk or write of it, one might believe that their Bible-reading had been restricted to the imprecatory Psalms and the Pharisee's prayer. If they study the history of New England and her institutions, it is, apparently, only for the purpose of reviving obsolete slanders and gleaning from ancient records—or other less trustworthy sources—whatsoever things are not true, whatsoever things are not honest, whatsoever things are not just, whatsoever things are not pure, lovely, or of good report; and if there be any virtue and if there be any praise—for Puritanism—they conscientiously avoid its discovery.

To writers of this type, Peter's "General History of Connecticut" is inexpressibly precious. They maintain its truthfulness as unflinchingly as they hold to any other matter of faith, in spite of—if not because of—its incredulity. They will not abandon a single one of his forty-five "Blue Laws," but insist on the full tale—"drums, trumpets, and Jews' harp," inclusive. They will not even discuss the matter calmly. If you persist in proving to them, beyond possibility of evasion, that their cherished code is an impudent forgery, and Peter's whole book a tissue of falsehood and absurdity, you may be sure your presumption will be rebuked in the same spirit, if not in precisely the same fashion, in which Archdeacon Philpot expressed his detestation of Arianism.

My publication of "The True-blue laws of Connecticut and New Haven" in contrast with "the false Blue-Laws invented by the Rev. Samuel Peters," has met with just such a reception as I anticipated for it. Knowing how much I have offended, I congratulate myself on escaping with so moderate punishment. My gentle critics in *The Churchman* could not, conscientiously, let me off without a reprimand. One tells me that I am "wrong both in logic and morality," that I have "garbled a quotation"

and disingenuously shifted a comparison;" another (*alter idem*?) after rebuking my presumption in publishing a volume "with nothing but my naked name" on the title page, "as if that were enough to distinguish me," points the finger of scorn at my more than "brazen audacity," "terrific billingsgate," and "puny insinuations." And yet, when he feels constrained to remind me, "somewhat vigorously," that I am "a manufacturer of false history, a liar unadulterate," he is merciful enough to do it *in Latin*, and by innuendo, and to "leave unsaid the words that were almost dropping from his pen."

In the eight columns that *The Churchman* (Aug. 11th and Sept. 1st), has given to a review of "*The True-Blue Laws*" etc., there are some misstatements which deserve correction, and a good many which are not worth the trouble of correcting. In pointing out a few of the most noteworthy, I will endeavor to use language so plain that my reviewer will not again have occasion to reprove me for "insinuating" more than I venture to say outright.

In his first paper, speaking of Peters's "specimens of antique legislation," the so-called *Blue Laws*, the reviewer says:—

"He does not pretend to quote them. He acknowledges they were laws of usage and custom, rather than of a book of statutes. In other words, that they came to him rather as traditions than as recorded testimony."

This is untrue. Each period, in fact, points a separate and distinct untruth. Peters *does* pretend to quote the "Blue Laws," and marks them as quotations. He gives them, not as "laws of usage and custom," but as specimens of the "laws made by the independent Dominion of New Haven" (p. 63); he asserts that "a vast multitude of such laws were made by the people of New Haven, previous to their incorporation with Saybrook and Hartford colonies by the charter" of 1662 (p. 69); these laws, he says (p. 43), were made by "the law-givers" of New Haven, of "their own invention," "to support them in their arbitrary and bloody undertakings." He contrasts them (p. 82) with

the more "decent" laws enacted under the charter; and when discussing the laws of Connecticut, in general, he refers (p. 298) to the "specimens of the Blue Laws *inserted*, p. 63." That he meant only "to give specimens of the *materials* out of which actual Puritan legislation grew," is an unwarrantable assumption of the reviewer. Even if it were well-founded, it would not help Peters's case. Whether he lied about "specimens of materials," or lied about "actual legislation," makes little difference, morally.

To prove the genuineness of Peters's "specimens of materials," the reviewer cites—*Hinman's "Blue Laws,"* published in 1838!

"Mr. Hinman was once Secretary of State for the Commonwealth of Connecticut, and quite as familiar, we apprehend, with old books and papers as the last open-mouthed assailant of Dr. Peters. He has taken the pains, as he goes over the collection of Peters, to mark many an instance where the blue law of fiction, as some would call it—the blue law of usage or custom, as we would call it, grew into the actual statute law of later days. This proves incontestibly" etc., etc., etc.

Mr. Hinman did nothing of this kind. The "Blue Laws" of his title-page and preface are the genuine laws of the New Haven code of 1656. He printed Peters's code (p. 121), and noted such of his laws as bear any resemblance to the genuine. These, he naturally inferred, Peters took *from* the genuine, and "added other disgraceful laws, to stigmatize the inhabitants of Connecticut." *The Churchman*, on the contrary, maintains that the occasional agreement of Peters's with the genuine laws, "proves incontestibly a manifest affiliation between the statute law of a grown-up republic and the blue-law *which preceded it*,"—in other words, that Peters's code, first heard of in 1781, "grew into the actual statute law" of 1655-56! And I am warned that even "brazen audacity could not dispute *this* conclusion."

Peter's 44th Blue Law reads: "Married persons must live together, or be imprisoned." This furnishes the theme for a dissertation on "the degradation of marriage to the rank of a mere civil contract," and the reviewer asserts

that Peters "actually makes ancient Puritanical Connecticut better than modern Puritanical Connecticut" is. He attributes the introduction of "low views of matrimony" among the Connecticut laity to—guess what?—to the influence of the *Life of John Milton* and the attractions of "his free love and free living!" *Risum teneatis amici?*

"It is in relation to this very subject of marriage," says the reviewer, "that Mr. Trumbull, after denouncing Dr. Peters as a forger, an inventor of false history, [and so forth,] on his 303d page introduces an allusion to Peters's 'most atrocious lie in his whole book'. . . . Well, here it comes, in close connection with Blue Law No. 42, as it has been numbered in the tremendous Peters Code: 'A wife shall be deemed good evidence against her husband.' It seems to be the impression of the defamer of Dr. Peters that he regarded this as his worst item in the Puritanic code, since he told his 'most atrocious lie' to show up its evil working."

It was *not* "in relation to this subject of marriage" that I alluded to the lie which I characterized as "*perhaps* the most atrocious" in Peters's whole repertory of falsehood. It may be well to reprint, with some explanation the brief note on page 303 by which I have—as the painful gropings and repeated stumbles of my reviewer convince me—unwittingly "put a stumbling-block in the way of the blind." Peters's 14th law reads:

"No food or lodging shall be afforded to a Quaker, Adamite, or other Heretic."

On this, my note is:—

"In another place (p. 198). Peters says, that entertainment of Quakers, Anabaptists, or Adamites, was 'punished for the first and second offence with fines, and *with death* for the third.' He makes this statement in connection with what is perhaps the most atrocious lie in his whole book—which he professes to tell for the purpose of 'shewing the danger of admitting a wife to give evidence against her husband, according to the Blue Laws.'"

My allusion to the lie on Peters's page 198 (McCormick, 155) seems plain enough. I did not wish to speak *too* plainly of the disgusting story which he made the vehicle of an infamous calumny. My reviewer, professing to tell this story, misrepresents its purport and

omits the lie which is its essence. He introduces it by some comments, *not* on my note, but on his own additions to it. After quoting "Law 14," he proceeds:—

"A Connecticut deacon, by the name of Potter, who had an unfortunate reputation for ecclesiastical humanity [what kind of humanity is that?] was hanged under this law, though hanged technically for the crimes of heresy and apostasy. That is the story of Dr. Peters, exclaims Mr. Trumbull, and this is the way in which law is forged by him."

This is *not* Peters's story. Peters found in Mather's *Magnalia*, and possibly had seen in the court records, an account of the trial and execution of a man named Potter, for an unnatural crime, which the law of New Haven, like that of almost every Christian state, punished with death. His ample confession removed all possible doubt of his guilt. He was executed in 1662, six years after the adoption of Governor Eaton's code; so there can be no question, here, of any "blue-law of *usage* or *custom*." Peters, in his history, refers to Mather's relation of the case, but professes to discredit it, and maintains that Potter was unjustly convicted of bestialty, on the testimony of his wife and son, but that the *real offence* for which he was put to death was "heresy and apostacy, which consisted in showing hospitality" to Quakers and other heretics, which "was forbidden by the Blue Laws." He avers that the prosecution was set on foot by Potter's wife and sustained by his son, from interested motives, one wanting to secure a new husband, the other an estate; that the court took advantage of this prosecution to convict Potter of a capital crime; and so "the public were deceived by the arts of a wicked junto."

There is no evidence that Potter was a "deacon," though Peters gives him that title. He does not, however, call him a "*Connecticut* deacon." That element of untruth is obligingly supplied by my reviewer. There is a touch of "ecclesiastical humanity," at which Peters himself would have laughed, in the suggestion that "it may be that Dr. Peters did not tell *quite the whole case*;" that Potter *may* have

been executed for "conspiracy against the dominion," which the 6th Blue Law punished with death—the entertainment of Quakers having *perhaps* been regarded by the court as constructive conspiracy!

IV.

My reviewer devotes nearly three-fourths of his second paper (*The Churchman*, Sept. 1st) to "Law 27 of the Blue Code":—

"Whosoever publishes a lie to the prejudice of his neighbor shall sit the stocks, or be whipped fifteen stripes."

He gravely asserts that "Dr. Peters *understates* this legislation, instead of *overstating* it;" that the New Haven law "allowed a court to find weighty aggravations in a case, and to arraign a criminal before the highest authority in the land, which might *put his very life in peril*," and, that, "cover it up as they will, these provisions *were intended to hang a liar*, if *salus reipublicæ* demanded that his mouth must be stopped effectually." That this is sheer nonsense no one who has read the law in question need to be told; but the argument which it introduces deserves notice, as an illustration of the art of drawing false conclusions from fictitious premises. Such "tremendous legislation," so "terrific a law against lying," proves, to the satisfaction of the reviewer, that lying must have been very common in New Haven; that if such a law "became necessary, as we have seen(!) for *all* New England—at least, its most sanctimonious portions—then truthlessness must have been rampant there, dangerous, and pestilential." For, argues the reviewer "laws are not usually made when offences are inchoate and slight. They are made when they have become habitual, pressing, aggravated, pestilential," etc. "As Horace says, *Lex maculosum edomuit nefas*, and consequently(!) the law explains the turpitude of the wrongs which it subdues." The argument, in brief, amounts to this: that stringent laws are evidences of "low morality;" that in any community, the public voice speaking

personally" (to borrow the reviewer's quotation from Hooker,) through its representatives, annexes severe penalties to those crimes, only, which members of the community habitually commit; and that where no transgression is there is no law—or none to speak of.

"And now, in view of such a picture"—suggests the reviewer—"suppose Dr. Peters to have *insinuated* that all the strength of the old colonies could hardly subdue their tendency to falsifying." Well, the supposition is by no means an improbable one. "Lord, lord, how the world is given to lying!" would have come as naturally from Peters as from Falstaff—when fairly caught in falsehood.

The quotation from Horace is, as it stands, inappropriate enough—since there is no analogy, so far as the reviewer's argument goes, between the laws which an autocrat *imposes on* a people, and laws *made by* a people for their own government: but, what is worse, the quotation, (as every sophomore who has read the ode "to Augustus" must remember) is *garbled*. Not *Lex* alone, or primarily—but

"Mos et lex maculosum edomuit nefas."

morality and the law—the moral sense of the community, supported by the law, subdues and crushes out crime,—which is the very fact that the reviewer was trying to put out of sight!

"The infliction of stripes for lying" is made the subject of spiteful comment, as if "the whipping post and the sheriff's lash" were creations of Puritanism. He might have read, on page 356 of *The True-blue Laws*, an abstract of the law of Elizabeth, by which every *beggar* or *vagrant*, male or *female*, was to be "stripped naked from the middle upwards, and *openly whipped until his or her body be bloody.*" It was nearly a quarter of a century after the adoption of the New Haven Code, when Sir George Jeffreys, after ordering a wretched creature to be whipped at the cart's tail, enjoined the executioner "to pay particular attention to this lady. Scourge her soundly, man! Scourge her till the blood runs down! It

is Christmas, a cold time for madam to strip in! See that you warm her shoulders thoroughly!" The same judge—so staunch a Churchman that he boasted that he "could smell a Presbyterian forty miles,"—sentenced a woman, for idle words which he chose to adjudge seditious, to be whipped through every market town in Dorsetshire. Half a century later—until the reign of George III., whipping, says Phillimore, the English historian, "continued to be a favorite remedy for poverty." *Women*, as well as men, were liable to be *publicly* whipped, at the post or the cart's tail, for petty offences, until 1817, and the *private* infliction of that punishment was not abolished till 1820.

But, says the reviewer, "the Puritans were so devoted to corporal punishment, that they administered it to the undergraduates of colleges;" President Quincy states that students were sometimes publicly whipped in Harvard college, and remarks that "there is no reason to suppose that there was anything revolting in this, either to the opinions or the feelings of the age or country;" and this comment, thinks the reviewer, "bears us out *in our reflections* upon the *grimness of the Puritanic dispositions*!" Is this crass ignorance—or something worse? Can it be possible that the writer has yet to learn that undergraduates, in both the *English* universities were subject to corporal punishment, in the seventeenth century? Did he never hear that John Milton was flogged while a student of Christ church college, Cambridge? At Oxford, "the rod was frequently used by the tutor and deans," in Aubrey's time (about 1650), and he tells how "Doctor Potter of Trinity college, whipped a pupil who wore his sword by his side, when he came to take leave of him." "The excerpts from the body of Oxford statutes printed in the very year when this college was founded," says President Woolsey, in his *Historical Discourse* at Yale, (1850), "threaten corporal punishment to persons of the proper age—that is below the age of eighteen—for a variety of offenses; and among the rest for disrespect to

seniors, for frequenting places where '*vinum aut quivis alius potus aut herba Nicotiana ordinarié venditur*,' and for playing football in the University precincts or in the city streets. But the statutes of Trinity college, Cambridge, contain more remarkable rules, *which are in theory still valid*, although obsolete in fact. All the scholars, it is there said, who are *absent from prayers*—bachelors excepted—if over eighteen years of age 'shall be fined a half-penny, but if they have not completed the year of their age above mentioned, *they shall be chastised with rods*, in the hall, on Friday.' At this chastisement all undergraduates are required to be lookers on, the Dean having the rod of punishment in his hand," etc. "Grimness of the *Puritanic* dispositions," forsooth!

Before leaving the subject of "the infliction of stripes," I may as well notice a bit of recondite erudition, thrown in by way of footnote, to the reviewer's first paper:

"In Brehon times," he informs us (meaning I suppose, under the Brehon *laws* of ancient Ireland), "to settle a boundary line behind villages, they would bury a heap of ashes, and bring some boys from *both* villages, "and whip them soundly" over the premises. The trouncing would make a sharp impression upon memory, and send the locality down to posterity safely. This was indeed a genuine Irish way of making records indelible!"

"Just such a ceremony," we are told, "*might* have happened in ancient New England; but if Dr. Peters had dropped a hint about its possibility, he would have been called an inventor of false records."

"Genuine *Irish* way" is nearly as good as "grimness of *Puritanic* dispositions." Why, this custom of whipping or "bumping" boys at the bounds of parishes, on one of the Rogation days, is hardly obsolete yet, *in England*. Fifty years ago, it was so common, and was so intimately associated with a usage of the Church, that it might almost be considered a part of the Anglican ritual. The solemn "perambulation of the circuits of parishes," by minister, church-wardens, and people, was the only "processioning" which survived the English Reformation. (See Wheatley, *on the Book*

of *Common Prayer*, ch. 5, sec. 20.) In some large parishes it took three days to "beat the bounds." "At various parts of the boundaries, two or three of the village boys were 'bumped'—that is, a certain part of the person was swung against a stonewall, a tree, a post, or any other hard object which happened to be near the parish boundary, as an effectual method of recording the boundaries in the memory of these *battering-rams*." (Chambers' *Cyclopedia*, vii, 390). The mode of administering a stimulus to memory, varied in different parts of England. (Probably every diocese had its *ad usum*.) At Exeter, an old lady testified before the Poor Law Commissioners, about twenty-five years ago, "that it was the practice of her early days, in that city, to beat the bounds and *fight with gads*, in the presence of the clergy." In Chelsea, the Churchwarden's books for 1679, contain the entries:—

"Spent at the Perambulation Dinner, ... £3.10.0
Given to the boys that were whipt, 4.0

In Dorsetshire, it was customary, where a river made part of the boundary, to throw the boys into it, and half-drown instead of whipping them. Not many years ago, a old man in Dorsetshire, when asked whether such a stream was a boundary, would answer, "Ees, that 'tis, I'm sure o't, by the same token that I were tos ed into 't, and paddled about tner e lik a water-rat, till I wor hafe dead." (Hone's *Year Book*, 1179) But enough—perhaps too much of this "genuine *Irish way*"—in "Brehon times!"

In the Introduction to *The True-blue Laws* (p. 31), I remarked that Peters "appended to his name the letters *LL. D.*—but no one can guess how he came by them." My reviewer takes me to task for being "merciless enough *proh pudor!*) to insinuate that he was a sneak-thief and stole his literary degree!" This is, certainly, a strong construction of my language—but so much the worse for Peters, if my "insinuation" proves to be well founded. I will be more explicit, and will give—on Peters's own authority—the origin of his doctorate. The story will, I suspect, be new to his great-grandson as well as to my reviewer.

Peters and the Rev. Dr. Benjamin Trumbull were born in the same town (Hebron), in the same year; were college mates two years in Yale, one graduating in 1757, the other in 1759; and in later life were brought into closer relation by the marriage of Peters's nephew to Trumbull's niece. After the close of the revolutionary war, Peters, in England, opened a correspondence with his old friend—whom he addressed as 'the Rector of a Church in North Haven.' [With all his weaknesses, Peters never fell to that of exclusively appropriating the capital C to *the* Church episcopal.] In November, 1788, he sent Trumbull copies of two Sermons he had published, giving his own address as the "Rev. Samuel Peters, LL. D.," then of Grosvenor Place, Westminster. In the next Triennial Catalogue of Yale (1790) Peters's name received the affix of "LL. D. *alibi*," and his class-mate, and co-renegade, Edmund Fanning—who had been made governor of Prince Edward Island—was honored as "Mr. et Harv. LL. D. *alibi*," etc. This recognition—for which Peters was indebted, under favor of President Stiles, to Dr. Trumbull—did not escape criticism. Some curiosity with regard to the "*alibi*" was manifested by friends of Yale, and Dr. Trumbull, when he sent a copy of the Triennial to "Dr." Peters, in December, 1790, suggested the desirableness of more precise information. In reply, May 2nd, 1791—the letter is now before me—Peters writes as follows:—

"I thank you and Dr. Styles for your Politeness. I will soon send you every necessary information.

Edmund Fanning is LL. D. at Oxford.
 Samuel Peters, LL. D., at CORTONA, TUSKANY,—but I am sorry to find any Envy should occur on the account. 'I would not eat meat if it should cause my brother to offend.' I never sought for anything but A. M. which I merited at Alma Mater Yale—yet I have several other similar ones—none of which have I received with Pride or Pleasure."

(For the capitals and italics, Peters is not responsible.)

His correspondence with Trumbull was maintained, at irregular intervals, for nearly twen-

ty years, but it does not appear that his promise to send "every necessary information" was ever redeemed. Fanning received the honorary degree of Doctor of Laws from Yale in 1803, and in the Triennial of 1805, is entered as "LL. D. *et Oxoniæ*," but Peters's name retained — and still retains — the *alibi*. Dr. Trumbull knew his old friend's failings: "Of all men," he said, "with whom he had ever been acquainted, *Dr. Peters*, he had thought *the least to be depended upon as to any matter of fact*," and it is not likely that he put much faith in the "Cortona" degree. President Stiles—notwithstanding the extent of his correspondence with scholars in Europe—had, probably, some difficulty in finding any university or faculty "at Cortona, Tuskany," which had conferred—or was authorized to confer—the doctorate "of both laws." I am anxious to give *Dr. Peters* the benefit of every doubt. It is not absolutely *impossible*—though it certainly is very improbable—that the "Etruscan Academy" of Cortona may have turned an honest penny, now and then, by the sale of diplomas of some sort. I do *not* assert that Peters "*stole* his literary degree," but I more than suspect that he *invented* it—as he did his "Blue Laws."

